

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

QUINTEZ TALLEY,)	
)	
Plaintiff,)	
)	Civil Action No. 22-1663
v.)	Judge Nora Barry Fischer
)	Magistrate Judge Christopher B. Brown
C/O LACOTTA, et al.)	
)	
Defendants.)	

ORDER OF COURT

AND NOW, this 8th day of July, 2024, upon consideration of the Report and Recommendation of United States Magistrate Judge Richard A. Lanzillo, dated June 14, 2024, (Docket No. 44),¹ recommending that Plaintiff Quintez Talley's Complaint and Supplemental Complaint be dismissed for failure to prosecute and failure to comply with Court Orders, after conducting an analysis of all of the relevant factors under *Poulis v. State Farm Fire & Cas. Co.*, 747 F.2d 863 (3d Cir. 1984), and ordering that any objections be filed within 14 days such that objections were due from non-ECF users like Plaintiff by July 1, 2024, and no objections having been filed by the date of this Order, and upon independent review of the record and consideration of the Magistrate Judge's Report and Recommendation of June 14, 2024, which is ADOPTED as the opinion of this Court,

IT IS HEREBY ORDERED that Plaintiff's Complaint and Supplemental Complaint (Docket Nos. 8 and 28) are DISMISSED, with prejudice, for failure to prosecute, in light of the facts and circumstances of this case and the relevant factors under *Poulis* set forth by the

¹ On July 3, 2024, the referral of this civil action was reassigned to Magistrate Judge Christopher B. Brown pursuant to Administrative Order 2024-07 filed at 2:24-mc-10001.

Magistrate Judge which are further buttressed by Plaintiff's failure to file objections to the Report and Recommendation of June 14, 2024 as of the date of this Order;

IT IS FURTHER ORDERED that the Motion to Dismiss filed by Defendants E. Armel, C.O. Johnson, C.O. Glover, Rhonda House, Lacotta, George M. Little, Lt. Fisher, Keri Moore, PA Dept. of Corrections and Lt. Starchok (Docket No. 40) is terminated, as moot. As noted in the Report and Recommendation, Plaintiff's failures to respond to the Motion to Dismiss, the Magistrate Judge's Show Cause Order and the deadline for objections to the Report and Recommendation make it impossible to proceed;

IT IS FURTHER ORDERED that the Clerk of Court shall mark this case CLOSED; and,

FINALLY, IT IS ORDERED that pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, Plaintiff has thirty (30) days to file a notice of appeal as provided by Rule 3 of the Federal Rules of Appellate Procedure.

s/ Nora Barry Fischer

Nora Barry Fischer
Senior U.S. District Judge

cc/ecf: United States Magistrate Judge Christopher B. Brown

All counsel of record.

cc: QUINTEZ TALLEY
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